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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,300	05/23/2000	Fred S. Cook	1364	4399

28004            7590            09/11/2003

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6391 SPRINT PARKWAY  
KSOPHT0101-Z2100  
OVERLAND PARK, KS 66251-2100

EXAMINER
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TODD, GREGORY G

ART UNIT	PAPER NUMBER
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2157  
DATE MAILED: 09/11/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/576,300	COOK, FRED S
	<b>Examiner</b> Gregory G Todd	<b>Art Unit</b> 2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 May 2000.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-42 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____                                     |

## **DETAILED ACTION**

This is a first office action in response to application filed, with the above serial number, on 23 May 2000 in which claims 1-42 are presented for examination. Claims 1-42 are therefore pending in the application.

### ***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The specification to which the oath or declaration is directed has not been adequately identified. See MPEP § 601.01(a).

### ***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Nolan (hereinafter "Nolan", 5,933,599).

5. As per Claim 1, Nolan discloses a method of operating an access system including an access server to provide access between a user system and a plurality of communication networks that provide services to a user, wherein Nolan discloses:

receiving an alias selection from a user into the access server (host data center gateway) for a network shell that includes alias selections associated with actions (at least col. 6, lines 1-9; col. 9, lines 49-59; col. 10 line 64 - col. 11 line 19); and  
processing the alias selection to execute an action associated with the alias selection (at least col. 10, lines 13-17).

6. As per Claims 2, 16, 30.

retrieving the network shell (at least col. 10, lines 60-67).

7. As per Claims 3, 9, 17, 23, 31, 37.

wherein retrieving the network shell is from a user access profile (navigator accustomed to user) (at least col. 12, lines 25-48).

8. As per Claims 4, 10, 18, 24, 32, 38.

further comprising scanning for the alias selection (instructions calling functions) (at least col. 13, lines 17-26).

9. As per Claims 5, 12, 19, 26, 33, 40.

wherein the action comprises a program (client application) (at least Fig. 22).

10. As per Claims 6, 13, 20, 27, 34, 41.

wherein the action comprises a macro (at least Fig. 23, 24).

11. As per Claims 7, 14, 21, 28, 35, 42.

wherein the action comprises a service (at least col. 12, lines 25-33).

12. As per Claim 8, Nolan discloses a method of operating an access system including an access server to provide access between a user system and a plurality of communication networks that provide services to a user, wherein Nolan discloses:

receiving a request to update a network shell that includes alias selections associated with actions (eg. AddWindows function) (at least col. 15, lines 28-45);

processing the request to update the network shell to determine if the update is valid (obtaining images) (at least col. 15, lines 5-16);

retrieving the network shell in response to the determination that the update is valid (at least col. 15, lines 5-16); and

updating the network shell based on the request (at least Fig. 5, 6; col. 14, lines 48-58).

13. As per Claims 11, 25, 39.

wherein updating the network shell is with an action (navigator executing function) (at least col. 14, lines 26-47).

14. As per Claims 15, 29, Nolan discloses an access system for providing access between a user system and a plurality of communication networks that provide services to a user, wherein Nolan discloses:

an access server (host data center gateway) connected to the user system and the plurality of communication networks and configured to receive an alias selection from a user into the access server for a network shell that includes alias selections associated with actions and process the alias selection to execute an action associated with the alias selection (at least col. 6, lines 1-9; col. 9, lines 49-59; col. 10 line 64 - col. 11 line 19; col. 10, lines 13-17); and

a database system connected to the access server (at least col. 15, lines 6-16).

15. As per Claim 22, Nolan discloses an access system for providing access between a user system and a plurality of communication networks that provide services to a user, wherein Nolan discloses:

an access server (host data center gateway) connected to the user system and the plurality of communication networks and configured to transfer a request to update a network shell that includes alias selections associated with actions to a database system (at least col. 6, lines 1-9; col. 9, lines 49-59; col. 10 line 64 - col. 11 line 19); and

the database system connected to the access server and configured to receive the request, process the request to update the network shell to determine if the update is valid, retrieve the network shell in response to the determination that the update is valid (at least col. 15, lines 5-45); and

update the network shell based on the request (at least Fig. 5, 6; col. 14, lines 48-58).

16. As per Claim 36, Nolan discloses a software product for providing access between a user system and a plurality of communication networks that provide services to a user, wherein Nolan discloses:

database software operational when executed by a processor to direct the processor to receive a request to update a network shell that includes alias selections associated with actions, process the request to update the network shell to determine if the update is valid, retrieve the network shell in response to the determination that the update is valid, and update the network shell based on the request (at least col. 15, lines 5-45); and

a software storage medium operational to store the database software (at least col. 15, lines 6-16).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lim et al, Brown et al, Barillaud, Kavner, and Shannon are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G Todd whose telephone number is (703)305-5343. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Gregory Todd  
Patent Examiner  
Technology Center 2100



ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100